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2138 RAYBURN HOUSE OFFICE BUILDING

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July 9, 2003

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The Honorable Thomas J. Ridge  
Secretary  
U.S. Department of Homeland Security  
Washington, DC 20528

Dear Secretary Ridge:

I write to urge the termination of deportation proceedings against a group of seven Palestinians and a Kenyan in Los Angeles, known as the "LA 8." This case is of grave civil liberties concern because the government's case appears to be grounded on political association, with no allegation of actual criminal activity. I believe that your decision to terminate the deportation proceedings would send the important message that the Department of Homeland Security is committed to the search for terrorists within the scope of the Constitution and not trammeling the 1<sup>st</sup> Amendment by prosecuting political activists.

The history of the charges against the "LA 8" follows a circuitous path that tracks changes in U.S. foreign policy in the middle east region. As you know, the group was originally arrested and charged in 1987 with violations of the now repealed McCarran-Walter Act for associations with a faction of the PLO. Following the repeal of the Act in 1990, technical visa violation charges were brought against six of the group and new federal charges were filed against the two permanent residents for providing "material support" to a terrorist organization. INS deportation proceedings against these individuals were enjoined on 1<sup>st</sup> Amendment selective prosecution grounds in 1995. Those charges, however, remain pending because a Supreme Court ruling in 1999 divested the district court of jurisdiction over the case, dissolving the injunction. Last month, an immigration judge ruled that the only remaining charges against the two legal permanent residents arise from the repealed McCarran-Walter Act, which technically still applies to pre-1990 cases.

In the days since their arrests, the "LA 8" have matured from student activists into family heads-of-household and are either permanent resident aliens or eligible for that status, pending resolution of these charges. They have all lived in this country for at least two decades as law-abiding, valued members of the community, with extensive family ties. I believe that it would

The Honorable Thomas J. Ridge

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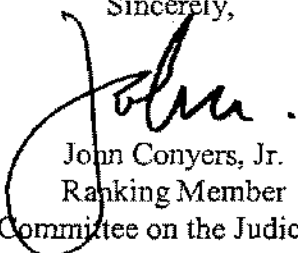
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serve no purpose to pursue charges against these individuals under the long-repealed McCarran-Walter Act or new Patriot Act provisions. More problematically, it would send a troubling messages, since courts have held that the original charges against the group were politically motivated based upon association with a group unpopular with the government.

More than 16 years have passed since the arrest of the "LA 8" and the time has come for the final resolution of this matter. This case is an important political symbol for the Arab American community and source of considerable political resentment at a time when we have asked the cooperation of this community. I believe that your decision to drop the government's case would be a sign of good faith to a community which has borne the brunt of the domestic war against terrorism that would generate significant future benefit and provide closure for families living in legal limbo.

Thank you for your consideration of this matter. Please contact me or my Judiciary Committee Counsel Keenan Keller at (202) 225-6906 to discuss this matter at your earliest convenience.

Sincerely,

  
John Conyers, Jr.  
Ranking Member  
Committee on the Judiciary

cc: Hon. F. James Sensenbrenner, Jr.  
Chairman, Judiciary Committee

Ms. Pamela Turner  
Director, Homeland Security  
Legislative Affairs